

REMARKS

This Amendment is submitted in response to the Office Action mailed on December 20, 2005. Claim 13 has been amended, and claims 1, 2, 4-19 and 21-32 remain pending in the present application. Applicants note and appreciate Examiner's allowance of claims 1, 2, 4-12, 19, 21-25 and 27-32. In view of the foregoing amendments, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and request reconsideration of the application in this regard.

Claims 13-18 and 26 stand rejected under 35 U.S.C. §102(b) as being anticipated by Krebs et al., U.S. Patent No. 5,340,953. While Applicants respectfully traverse these rejections, Applicants have amended independent claim 13 to more sharply define the claimed invention of the prior art of record and respectfully request that the rejection be withdrawn.

In particular, independent claim 13 has been amended to recite that one of the switch elements is “non-programmable” and operable when actuated, to simultaneously control multiple power-driven functions of the medical apparatus to position the patient supported thereupon from the work position to the generally upright sitting position. This feature of the present invention is described at Page 13, line 24 through Page 14, line 14 of Applicants’ disclosure and is shown in the Figures, including Fig. 13 (RETURN SWITCH 70j). In this embodiment, the “CHAIR RETURN” switch

element is provided to automatically change the configuration of the examination table from a work position to a chair position whereat a patient is supported in a generally upright sitting position so that the patient may comfortably enter or exit the examination table before or following an examination or treatment procedure. As shown in Fig. 13, the "CHAIR RETURN" switch (70j) is hard-wired and so is "non-programmable" as recited in amended independent claim 13.

Applicants respectfully submit that in the foot control of Krebs et al., the foot pad (30) is programmable to store at least four programmed positions for the chair. Examiner takes the position that these programmed chair positions "could" include movement of the dental chair from a work position to an upright sitting position. Applicants respectfully submit that even if the dental chair of Krebs et al. "could" include these movements (which Applicants do not concede) Krebs does not expressly teach or suggest this feature as recited in amended independent claim 13. Moreover, Applicants have amended independent claim 13 to clearly distinguish over Krebs et al. by reciting that the switch element is "non-programmable" in contrast to the programmable switches of Krebs et al. Accordingly, Applicants respectfully submit that independent claim 13 is allowable and the rejection should be withdrawn.

Moreover, as claims 12-18 and 26 depend from allowable independent claim 13, and further as each of these claims recites a combination of elements not

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taught or suggested by the prior art of record, Applicants respectfully submit that these claims are allowable as well.

Conclusion

In view of the foregoing response including the amendments and remarks, this application is submitted to be in complete condition for allowance and early notice to this affect is earnestly solicited. If there is any issue that remains which may be resolved by telephone conference, the Examiner is invited to contact the undersigned in order to resolve the same and expedite the allowance of this application.

Applicants do not believe that this response requires that any fees be submitted, however, if any fees are deemed necessary, these may be charged to Deposit Account No. 23-3000.

Respectfully submitted,

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